

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

MARK MCCOURT LIEBER, JR,	§	
TDCJ No. 1969926,	§	
Petitioner,	§	
	§	
v.	§	CIVIL NO. SA-19-CA-12-FB (HJB)
	§	
LORIE DAVIS, Director,	§	
Texas Department of Criminal	§	
Justice, Correctional Institutions	§	
Division,	§	
Respondent.	§	

**RESPONDENT'S FIRST MOTION FOR EXTENSION
OF TIME WITH BRIEF IN SUPPORT**

This is a habeas corpus case brought by a Texas state prisoner, Mark McCourt Lieber, Jr., under 28 U.S.C. § 2254. The Director was ordered to file an answer within thirty days of receipt of the petition, making the Director's answer due March 4, 2019. Fed. R. Civ. Proc. 6. Though they were timely ordered, the state court records necessary to complete the Director's answer were only received by the undersigned on February 27, 2018. As a result, the undersigned has not had sufficient time to review the records and complete the Director's response. Additional time to respond is required and would be greatly appreciated. The Director respectfully requests an extension of thirty days, up to and including Wednesday, April 3, 2019, to file her response.

This is the Director's first request for an extension of time in this cause. The Director apologizes to the Court for the necessity of this extension. Moreover, this request is not designed to harass Lieber, nor to unnecessarily

delay these proceedings, but to ensure that Lieber's claims are properly addressed. Accordingly, the Director respectfully requests an extension of thirty days, up to and including, Wednesday, April 3, 2019, to complete the Director's response.

CONCLUSION

The Director respectfully requests that her First Motion for Extension of Time be granted.

Respectfully submitted,

KEN PAXTON
Attorney General of Texas

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First Assistant Attorney General

ADRIENNE McFARLAND
Deputy Attorney General
for Criminal Justice

EDWARD L. MARSHALL
Chief, Criminal Appeals Division

*Lead Counsel

/s/ Jessica Manojlovich
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ATTORNEYS FOR RESPONDENT

CERTIFICATE OF CONFERENCE

I do hereby certify that a conference is not possible because Petitioner is incarcerated.

/s/ Jessica Manojlovich
JESSICA MANOJLOVICH
Assistant Attorney General

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the above and foregoing pleading has been served by placing the same in the United States Mail, postage prepaid, on this the 1st day of March, 2019, addressed to: Mark McCourt Lieber, Jr., TDCJ No. 1969926, Michael Unit, 2664 FM 2054, Tennessee Colony, TX 75886.

/s/ Jessica Manojlovich
JESSICA MANOJLOVICH
Assistant Attorney General